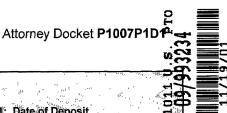


Please type a plus sign (+) inside this box +



CERTIFICATION UNDER 37 CFR 1.10

EL809447565US: Express Mail Number

November 19, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1/10 on the date indicated above and is addressed to the Assistant Commissioner of Patents: Washington, D.C. 20231.

Name & Maischarf
Diane & Marschang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION Assistant Commissioner of Patents Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi, San Mateo, CA

Title:

Apo-2LI and Apo-3 Polypeptides

- 1. Type of Application
- [] This application is for an original, non-provisional application.
- [X] This is a divisional application claiming priority to application Serial Number <u>08/828,683</u> filed March 31, 1997, the entire disclosure of which is hereby incorporated by reference.
- 2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)
 - 89 pages of specification
 - 5 pages of claims
 - __1__ page(s) of abstract
 - 12 sheet(s) of drawings
 - [] formal [X] informal
- 3. Declaration or Oath
 - X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).
- 4. Assignment
 - X The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

- X Cancel in this application original claims <u>1-33 and 40-45</u> of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

		CLAIN	IS FOR FEE CA	LCULATION	
Nümber	Filed	Numb	er Extra	Rate	Basic Fee 37 CFR 116(a) \$740.00
Total Claims	55	- 20 =	35	X \$18.00	\$630.00
Independent Claims	6	- 3=	3	X \$80.00	\$240.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$1,610.00

7. Method of Payment of Fees

X The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,610.00. A duplicate copy of this transmittal is enclosed.

8. Authorization to Charge Additional Fees

X The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

9. Additional Papers Enclosed

- [] Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- [X] Submission of "Sequence Listing" (paper copy), Request to use computer readable copy of sequence listing from prior application, and certificate re: sequence listing.
- [] A new Power of Attorney or authorization of agent.
- [] Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

 A petition, fee and/or response has been filed to extend the term in the pending prior application until
 A copy of the petition for extension of time in the <i>prior</i> application is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Diane L. Marschang

Respectfully submitted, GENENTECH, INC.

Date: November 19, 2001

Diane L. Marschang

Reg. No. 35,600 Telephone No. (650) 225-5416

09157

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PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ashkenazi

Serial No.: to be assigned

Filed: November 19, 2001

For: Apo-2LI and Apo-3 Polypeptides

<u>Letter and REQUEST TO USE COMPUTER-READABLE SEQUENCE LISTING</u> <u>UNDER 37 CFR §1.821(e)</u>

BOX Patent Application Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

Applicants respectfully request that the compliant computer-readable Sequence Listing filed in parent application Serial No. 08/828,683 be used as the computer-readable Sequence Listing for the present, above-identified divisional application.

The paper copy of the Sequence Listing filed herewith is identical to the computer-readable copy of the Sequence Listing filed in parent application Serial No. 08/828,683.

Respectfully submitted, GENENTECH, INC.

Date: November 19, 2001

Diane L. Marschang Reg. No. 35,600

Telephone No. (650) 225-5416

09157

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ashkenazi

Serial No.: to be assigned

Filed: November 19, 2001

For: Apo-2LI and Apo-3 Polypeptides

Group Art Unit: to be assigned

Examiner: to be assigned

CERTIFICATE REGARDING SEQUENCE LISTING

Box Patent Application Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

I hereby state that the information recorded in computer readable form in accordance with 37 CFR Section 1.821 is identical to the paper copy of the Sequence Listing. I also hereby state that the computer readable form and paper copy of the Sequence Listing do not introduce new matter.

Respectfully submitted, GENENTECH, INC.

Date: November 19, 2001

Diane L. Marschang Reg. No. 35,600

1 DNA Way So. San Francisco, CA 94080-4990 Phone: (650) 225-5416 Fax: (650) 952-9881